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**ANDREA M. REYNOLDS**

2501 15th Street E, #214  
Tuscaloosa, AL 35404  
Phone: (205) 507-1031

July 16, 1996

RECEIVED

JUL 18 1996

FCC MAIL ROOM

Mr. William A. Caton, Secretary  
FEDERAL COMMUNICATIONS COMMISSION  
1919 M Street, NW  
Room 222  
Washington, DC 20554

RE: Request Amendment of Table of Allotments  
Channel 249A, Thomaston, Alabama

Dear Mr. Caton:

Enclosed please find the original and five copies of a Petition for Rule Making (PRM) that I am filing in order to allocate channel 249A to Thomaston, Alabama.

Because this is a PRM, no application fee is included. A copy labeled "Receipt Stamped Copy" is included and attached to an addressed, postage included, envelope. Please have someone stamp this copy and return it to me for my file.

Thank you for your assistance in getting this petition filed.

Sincerely,



Andrea M. Reynolds,  
Petitioner

Enclosure(s)

024  
MMB

**ORIGINAL**

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Before the

**FEDERAL COMMUNICATIONS COMMISSION**

Washington, D.C. 20554

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In The Matter of )  
 )  
Amendment of Section 73.202(b), ) MM Docket \_\_\_\_\_  
Table of Allotments, )  
FM Broadcast Stations ) RM \_\_\_\_\_  
(Thomaston, Alabama) )

To:

Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**PETITION FOR RULE MAKING**

Andrea Reynolds, Individually ("Reynolds"), a resident of the State of Alabama, hereby petitions the Commission to institute a Notice of Proposed Rule Making (NPRM) for the allocation of channel 249A to Thomaston, Alabama, as that Community's first FM broadcast service. Reynolds gives the required verifications and also certifies that if the Commission allocates the channel, she, or an entity in which she participates, will file an application for construction permit.

## **CHANNEL 249A AT THOMASTON QUALIFICATIONS**

As shown by the attached channel study, channel 249A, when allocated to Thomaston, appears to have no short spacing to any known licensed facilities, proposed minor changes or proposed rule makings. It also appears that the nearest short spacing concerns are as follows: WABB(FM), (channel 248C) Mobile, Alabama, at 186.8°(Degrees) True; WEZZ(FM) (channel 249A), Clanton, Alabama, at 50.1°(Degrees) True and WJAM(FM) (channel 249A) Orrville, Alabama at 64.1°(Degrees) True. The intersecting of these minimum distance separation contours create the location area for a fully spaced antenna site for channel 249A at Thomaston.

The attached map shows that the fully spaced site chosen for the instant rule making would cover 100% of the proposed city of license with a hypothetical 70 dBu F(50,50) contour. The distance shown for a class A facility (6 kW, 100 meters HAAT) is 16.3 kilometers (10.1 miles).

In order to alleviate potential FAA problems, Reynolds could possibly use an existing structure in excess of 350 feet AGL at a fully spaced reference site under Section 73.215. If the Commission allocates channel 249A to Thomaston as that community's first local aural service, antenna sites in the immediate area of the Reynolds reference coordinates will be available without FAA obstruction concerns.

## **THOMASTON, ALABAMA**

Thomaston is located in Marengo County, Alabama. It has local banking, a functioning school system, a public library, in addition to police and municipal service systems which give it the required indicia required by the Commission to be a community of license. According to the United States Census Bureau, Thomaston had a population of 497 persons on January 1, 1990. The community is recognized as Census Designated Area by the US Census Bureau. Information from the Alabama Secretary of State depicts that it has a functioning city government and has been an incorporated city for several years.

## **PETITION SUMMARIZED**

The petition for the allocation of channel 249A at Thomaston can be SUMMARIZED as follows:

<b><u>COMMUNITY</u></b>	<b><u>PRESENT</u></b>	<b><u>PROPOSED</u></b>
Thomaston	-----	249A

No substitutions of channels in other markets or interruption of service are necessary for this allocation. Since there are no channel deletions or substitutions necessary for the allocation of channel 249A at Thomaston, it can be allotted and applications for a construction permit filed immediately.

## **EXPRESSION OF INTEREST**

Reynolds hereby certifies that she is interested in the allocation of channel 249A at Thomaston and if the channel is allocated she, or an organization in which she participates, will timely file an application for construction permit. It further states that it, or an entity in which she is a participant, will construct and daily operate this station, if it is the successful applicant.

## **PETITIONER'S PREFERENCE**

Reynolds is aware that talk in the "trade" lately has hinted that the Commission may institute a procedure commonly known as "petitioner's preference." This practice would, in essence, give a petitioner a preference when an application window was opened for an allocation. If this rule is implemented before the Commission takes action on the instant petition, she will respectfully request a petitioner's preference.

## **CONCLUSION**


Andrea Reynolds, Individually, is petitioning the Commission to institute a Notice of Proposed Rule Making leading to the allocation of channel 249A at Thomaston, Alabama, as that community's first local service. This channel is available for allocation immediately as it requires no deletions and/or substitutions in other communities. In addition, the allocation will require a

site restriction of 11.2 kilometers at 180° (due south from the community of license). Reynolds certifies that she, or an entity in which she participates, will apply for the license at Thomaston if the channel is allocated.

### **CERTIFICATION**

I, Andrea Reynolds, Individually, Petitioner for the allocation of a new FM broadcast channel at Thomaston, Alabama, do hereby verify that the statements contained in this Petition for Rule Making are true and correct to the best of my knowledge and belief. I represent that this Petition is not filed for the purpose of impeding, obstructing or delaying determination on any other application or petition with which it may be in conflict.

Respectfully Submitted,

  
ANDREA REYNOLDS, INDIVIDUALLY

This 11th Day of July, 1996

ANDREA REYNOLDS  
2501 15th Street E #214  
Tuscaloosa, Alabama 35404

ANDREA M. REYNOLDS  
2501 15TH STREET E #214 TUSCALOOSA AL 35404

ALLOCATION STUDY  
CHANNEL 249A AT THOMASTON, AL

REFERENCE		CLASS A	DISPLAY DATES
32 10 00 N			DATA 07-05-96
87 37 25 W	Current rules spacings		SEARCH 07-16-96
----- CHANNEL 249 - 97.7 MHz -----			

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
WABBFM	248C	Mobile	AL	186.8	165.02	165.0	0.02 <
WEZZ	249A	Clanton	AL	50.1	115.59	115.0	0.59 <
WJAMFM	247A	Orrville	AL	64.1	49.25	31.0	18.25
WOKK	246C1	Meridian	MS	279.9	101.84	75.0	26.84
WMYQFM	250C3	Newton	MS	280.6	119.78	89.0	30.78
WTXT	251C1	Fayette	AL	353.7	128.84	75.0	53.84
CP250	250A	Wetumpka	AL	76.3	141.86	72.0	69.86

